



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Clerk, Recorder and
Assessor
Department No.: 062
For Agenda Of: June 19, 2007
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Departmental Joseph E. Holland
Director Clerk, Recorder and Assessor
Contact Info: Billie Alvarez, Elections Division Manager X2203

SUBJECT: Confidentiality of Voter Information for Specified Public Safety Officers

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors authorize the County Clerk, Recorder & Assessor to expand the confidentiality of voter registration information to specified public safety officials pursuant to statute.

Summary Text:

The purpose of the recommended action is to authorize the Registrar to expand voter confidentiality for specified public safety officials as provided in newly enacted Election Code § 2166.7, which became effective on January 1, 2007. The confidentiality would protect individuals in specified public safety positions where life threatening circumstances may exist to the official or the official's family.

Background:

On September 26, 2006, Senate Bill ("SB") 506, (**Attachment A**), was signed by the Governor and became effective January 1, 2007. SB 506 authorized, among other things, local registrars to make confidential the residence address, telephone number and e-mail address appearing on the affidavit of voter registration of certain public safety officials. See Elections Code ("EC") § 2166.7 (f). The Board of Supervisors is specifically required to authorize the Registrar to carry out the expansion of the voter confidentiality provisions in Santa Barbara County. See Elections Code ("EC") § 2166.7 (a).

Prior to enactment of SB 506, confidentiality of voter information applied to individuals when ordered by a court due to life threatening circumstances, as well as to victims of domestic violence and stalking, and reproductive health care service providers, employees, volunteers and patients. *See* EC §§ 2166 and 2166.5. Senate Bill 506 adds EC § 2166.7 which identifies five additional categories of public safety officers who qualify for confidentiality such as peace officers, judges, and government attorneys primarily practicing criminal law. The statutes identifying the specific positions entitled to confidentiality are included in **Attachment B**.

If authorized by your Board, the Registrar will expand the confidentiality to those individuals who qualify, and file an application with the Registrar. The application shall contain a statement, signed under penalty of perjury, that the person is a public safety officer as defined in subdivision (f) of EC § 2166.7, and that a life threatening circumstance exists to the officer or member of the officer's family. EC § 2166.7 (b). The application for confidentiality of the voter's information is a public record.

The confidentiality granted by EC 2166.7, shall terminate no more than two years after commencement, as determined by the Registrar, and upon new application, may be granted for up to an additional two years after expiration. EC § 2166.7 (c). Any person granted confidentiality will be considered an absent voter for all subsequent elections until the Registrar is notified in writing by the voter or Secretary of State. EC § 2166.7 (d)(1). A voter requesting termination of absent voter status thereby consents to placement of his or her residence address, telephone number, and e-mail address in the roster of voters. EC § 2166.7 (d)(1). In addition, the person granted confidentiality must provide a valid mailing address to be used in place of the residence address for election, scholarly, political research and governmental purposes. EC § 2166.7 (d)(2). The Registrar, in producing any list, roster, or index, may, at his or her choice, use the valid mailing address or the word "confidential" or some similar designation in place of the residence address.

Performance Measure:

Authorization for the Registrar to expand the confidentiality of voter records will benefit those individuals who are in positions that place them or their families at risk for harm should their residence address, telephone number and e-mail address be disclosed to the public. The Registrar already has an existing computerized system that can be used to incorporate the expanded confidentiality provisions.

Fiscal and Facilities Impacts: Minimal program costs will be incurred and absorbed by the Department in its approved adopted FY 2006-07 and future budgets

Staffing Impacts: Minimal increase in work for existing staff only

Special Instructions:

Attachments:

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Attachment A

Attachment B

Authored by:

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cc:

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